



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KORTES et al

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Appl. No. 10/563,320

TC/A.U. 1794

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Examiner: Moore

For: METHOD TO IMPROVE TASTE OF FOOD OR BEVERAGE WITH A REDUCED AMOUNT OF TOTAL FAT BY ADDITION OF YEAST EXTRACT AND FOOD OR BEVERAGE THEREOF

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

JOINT DECLARATION UNDER 37 CFR §1.132

We, Jan Gerrit KORTES and Bertus NOORDAM, hereby declare as follows:

1. That we are joint inventors of the subject application, are citizens of The Netherlands, and our addresses are as stated in our Declaration under Rule 63 (37 CFR §1.63) of record in the subject application.
2. That we are employed by DSM N.V. (a full subsidiary of DSM N.V.: DSM Gist Services B.V. is the formal employer) and have assigned our rights in the subject application to DSM IP Assets B.V.
3. That attached hereto are our curriculum vitae, a listing of our publications in the preservation field and a listing of our granted US patents.
4. That we regard the following foods and methods to be our joint invention:
 1. Method to enhance the specific fat note in the mouthfeel of a food with a reduced amount of fat making it more similar to mouthfeel of

the corresponding full-fat food by not providing any taste or specific note of a yeast extract itself by addition to the food of a yeast extract comprising free amino acids and at least 8% w/w of 5'-ribonucleotides.

2. Method to enhance the specific fat note in the mouthfeel of a food with a reduced amount of fat making it more similar to the mouthfeel of the corresponding full-fat food by not providing any taste or specific note of a yeast extract itself by addition to the food of a yeast extract comprising free amino acids and between 10 and 50% w/w of 5'-ribonucleotides.

3. Method according claim 1 wherein the yeast extract comprises 5'-guanine mono phosphate (5'-GMP) and optionally 5'-inosine mono phosphate (5'-IMP) in a total amount of at least 4% w/w.

4. Method according to claim 1 wherein the degree of protein hydrolysis in the yeast extract is at most 50%.

5. Method according to claim 3, wherein the ratio between the percentage (w/w) of free amino acids and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 3.5.

6. Method according to claim 3 wherein the ratio between the percentage (w/w) of protein in the yeast extract and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 12.

7. Method according to claim 1 wherein the yeast extract comprises an amount of sodium chloride of at most 8% w/w based on yeast extract dry matter.

8. Food with a reduced amount of fat with an improved fat note in the taste and/or in the aroma and/or in the mouthfeel obtainable by adding to a food with a reduced amount of fat a yeast extract comprising free amino acids and at least 8% w/w of 5'-ribonucleotides.

9. Food according to claim 8, which is a dairy product.

10. Food according to claim 8, which is a bakery product.

12. Method according to claim 2 wherein the yeast extract comprises 5'-ribonucleotides in a range of between 10 and 40% w/w.
13. Method according to claim 2 wherein the yeast extract comprises 5'-ribonucleotides in a range of between 10 and 30% w/w.
14. Method according claim 3 wherein the yeast extract comprises 5'-GMP and optionally 5'-IMP in a total amount of between 5 and 25% w/w.
15. Method according claim 3 wherein the yeast extract comprises 5'-GMP and optionally 5'-IMP in a total amount of between 5 and 20% w/w.
16. Method according claim 3 wherein the yeast extract comprises 5'-GMP and optionally 5'-IMP in a total amount of between 5 and 15% w/w.
17. Method according to claim 4 wherein the degree of protein hydrolysis in the yeast extract is between 5 and 45%.
18. Method according to claim 4 wherein the degree of protein hydrolysis in the yeast extract is between 10 and 45%.
19. Method according to claim 4 wherein the degree of protein hydrolysis in the yeast extract is between 20 and 45%.
20. Method according to claim 4 wherein the degree of protein hydrolysis in the yeast extract is between 30 and 45%.
21. Method according to claim 5, wherein the ratio between the percentage (w/w) of free amino acids and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 3.
22. Method according to claim 5, wherein the ratio between the percentage (w/w) of free amino acids and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 2.5.
23. Method according to claim 5, wherein the ratio between the percentage (w/w) of free amino acids and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 2.

24. Method according to claim 6 wherein the ratio between the percentage (w/w) of protein in the yeast extract and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 8.

25. Method according to claim 6 wherein the ratio between the percentage (w/w) of protein in the yeast extract and the percentage (w/w) of the total amount of 5'-GMP and 5'-IMP in the yeast extract is at most 6.5.


5. That we are also applicants together with Willem Jacobus VERHOEVEN of International patent application WO 03/063614 currently owned by DSM IP Assets B.V. and as applicants are well familiar with the subject matter of this patent application and the underlying research and experimentation.

6. To the extent that WO 03/063614 includes subject related to the above-identified application and in particular the claims as set out above, the invention(s) defined in the above claims is our joint invention and not the inventive effort of VERHOEVEN.


7. That together we conceived or invented the subject matter disclosed in WO 03/063614 as reflected in the claims listed above.

8. We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

January 13, 2010 
Jan Germ KORTES

Date:

22-1-2010 
Bertus NOORDAM